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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.

Plaintiff, Counter-defendant

v.

APPLE INC.,

Defendant, Counterclaimant

Case No. 4:20-cv-05640-YGR

**SUPPLEMENTAL DECLARATION OF
MARK ROLLINS IN SUPPORT OF APPLE
INC.'S MOTION FOR ENTRY OF
JUDGMENT ON ITS INDEMNIFICATION
COUNTERCLAIM**

The Honorable Yvonne Gonzalez Rogers

**REDACTED VERSION OF DOCUMENT
SOUGHT TO BE SEALED**

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1 I, Mark Rollins, declare:

2 1. I am a Senior Financial Manager and the Finance Controller for Legal and Global Security
3 (“LGS”) at Apple Inc. (“Apple”). I joined the company in November of 2019 and have consistently
4 worked with Apple’s litigation teams while at Apple as a finance manager.

5 2. In my current position, I oversee all LGS budgets and expenses. In this capacity, I am familiar
6 with the process by which Apple reviews and approves vendor budgets and invoices pertaining to a
7 variety of types of litigation in a variety of jurisdictions. This includes expenses related to the *Epic*,
8 *Cameron*, and *Pepper*¹ litigations.

9 3. I make this supplemental declaration in support of Apple’s Motion for Entry of Judgment on its
10 Indemnification Counterclaim and Apple’s Administrative Motion to Seal (the “Motion to Seal”). I have
11 personal knowledge of the facts set forth herein. If called as a witness, I could and would competently
12 testify to the matters stated herein.

13 **I. APPLE’S PRACTICES FOR ALLOCATING SPEND FOR LEGAL MATTERS**

14 4. For litigation matters, [REDACTED]
15 [REDACTED]

16 5. As noted in paragraph 28 of my Declaration in Support of Apple’s Motion for Entry of Judgment
17 (Dkt. No. 876-1) (“Declaration”), [REDACTED]
18 [REDACTED]
19 [REDACTED]

20 6. [REDACTED]
21 [REDACTED] For the period from August 2020 through October 31, 2023, Apple has paid a total of
22 [REDACTED] for all invoices billed to these matters.

23 **II. APPLE’S COSTS INCURRED AND PAID SINCE OCTOBER 31, 2023**

24 7. Consistent with Apple’s reservation of rights to supplement its submission with information
25
26
27

28 ¹ *Donald Cameron v. Apple Inc.*, 4:19-cv-3074-YGR (*Cameron*) and *In Re Apple iPhone Antitrust Litigation*, 4:11-cv-6714-YGR (*Pepper*).

1 regarding its additional Losses in connection with this litigation,² I have reviewed data from Apple's
2 billing and payment systems, and determined that through October 31, 2023 Apple has paid a total of
3 \$82,971,401, for all invoices billed to the domestic *Epic* litigation [REDACTED]
4 [REDACTED]. In addition to the amount Apple has paid since October 31, 2023 through the filing
5 of this declaration, Apple has also received bills for the *Epic* indemnification litigation
6 [REDACTED] in the amount of \$423,935 that it is currently reviewing and processing for payment
7 via the process described in paragraphs 6–26 of my Declaration.

8 8. Apple is seeking indemnification only for fees and costs associated with the domestic *Epic*
9 litigation [REDACTED], with adjustments and the UCL discount as explained
10 in the Motion.

11 **III. CONFIDENTIALITY OF BILLING PRACTICES AND NON-PUBLIC FINANCIAL**
12 **INFORMATION**

13 9. I have reviewed Apple's Reply In Support of Its Motion for Entry of Judgment on its
14 Indemnification Counterclaim (the "Reply").

15 10. Based on my review, I believe that the Reply and this declaration contain certain information that
16 is confidential, proprietary, and/or commercially sensitive, for both Apple and its vendors. These
17 documents contain information on both Apple's proprietary litigation handling processes and tools and
18 Apple's non-public financial information regarding costs expended in the *Epic* litigation. If this
19 information were made public, it would create a substantial risk of competitive, financial, or other injury
20 to Apple.

21 11. I understand that Apple has taken great lengths to shield this information to the extent possible.
22 Given the sensitive nature of these records, they have been kept strictly confidential in the ordinary
23 course of business.

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28 ² See Apple's Motion for Entry of Judgment on its Indemnification Counterclaim (Dkt. No. 876), at 23 n.2.

1 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.
2 Executed this 1st day of March 2024, in Cupertino, California.

3
4 Respectfully submitted,

5 By: /s/ Mark Rollins
6 MARK ROLLINS
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